

17. The method of claim 16 wherein the at least a portion of the first end comprises a top of the flexible body.

18. The method of claim 17, wherein the locking mechanism is formed on the second end of the flexible body.

19. The method of claim 16 wherein the at least a portion of the first end comprises an ornamental feature of the flexible body.

20. The method of claim 10 wherein at least one optional second end location is provided within the flexible body to selectively form the second end at a varying distance from the first end.

REMARKS

Claims 1-20 are now pending, including independent claims 1 and 10. Claims 1 and 10 are amended herein.

Claims 1-3 and 6-8 were rejected under 35 USC 102 in light of Bradley. Claims 4-5 were rejected under 35 USC 103 in light of Bradley in view of Smith. Claim 9 was rejected under 35 USC 103 in light of Bradley in view of Northrop. Claims 10-19 were rejected under 35 USC 102 in light Northrop. Claim 20 was rejected under 35 USC 103 in light Northrop in view of Bradley.

It is respectfully asserted that independent claims 1 and 10 each contain elements not taught or suggested in the cited references either singularly or in combination.

With regard to claim 1 it is noted that the claim includes a pocket connector and the pocket connector comprises a lock feature. Moreover, "the size and shape of the lock feature of the pocket connector being configured to engage the tongue connector and to prevent

disengagement in a vertical direction.” It is respectfully noted that Bradley shows a slot 104 in a flap 106 which may receive a corresponding extension member 102 in a downward vertical movement manner. However, the extension member 102 is not locked in any manner in the vertical direction by any structure of the slot 104 or the flap 106.

It is also respectfully noted that claim 1 includes the limitation that the pocket connector comprises a lock feature. As noted, the slot and flap 106 of Bradley contain no mechanism to lock in the vertical direction. It is further noted that in claim 1 the “size and shape of the lock feature” are “configured to engage the tongue connector and to prevent disengagement in a vertical direction.” It is noted that in Bradley neither the extension member 102 nor the slot 104 / flap 106 that the extension member engages are configured or formed in any manner to both engage and to prevent disengagement in a vertical direction.

Finally, it is noted that claim 1 further includes the limitation that the lock feature is sized and shaped in a manner “such that disengaging the lawn edging strip from the other lawn edging strip is hindered in a vertical direction as compared to the force necessary to engage the lawn edging strip with the other lawn edging strip.” Again, the Bradley structure does not have such a size or shape.

It is respectfully noted that the top surface 44 of Bradley also does not satisfy the lock feature limitations of claim 1. For example, it is noted that as claimed in claim 1 the lock feature is a feature of the pocket connector. The top surface 44 is not formed in any manner as part of the flap 106 or slot 104 as shown in Bradley.

Moreover, the size and shape of the lock feature are configured in a manner to both engage the tongue connector and to prevent disengagement. Further, the size and shape of the lock feature are configured “such that disengaging the lawn edging strip from the other lawn edging strip is hindered in a vertical direction as compared to the force necessary to engage the lawn edging strip with the other lawn edging strip.” However, the Bradley edging is not sized or shaped in such a manner. In addition, the Bradley top surface is not sized and shaped to both

engage and prevent disengagement. Further, it is noted that in Bradley, the same force and movements (but the opposite direction) would be used to engage and disengage two edging pieces, again distancing the limitations of claim 1 from the top surface 44 of Bradley.

Thus, it is respectfully submitted that independent claim 1 and those claims depending therefrom (claims 2-9) are patentably distinct from the cited art and favorable action is requested.

Similarly, as shown in Northrop Figures 1 and 2, a slot 52 may receive a corresponding extension member 58 in a downward vertical movement manner. However, the extension member 58 is not vertically locked into the slot 52 as the extension member may be moved upward just as easily as downward. Thus, the extension member is free to slide into (downward) and out (upward) of the slot member and no vertical locking is provided in Northrop.

Independent claim 10 currently is rejected over Northrop. However, as amended claim 10 includes providing a locking mechanism "that hinders the disengagement of two engaged flexible bodies in a vertical direction such that disengaging the two engaged flexible bodies is hindered in a vertical direction as compared to the force necessary to engage the lawn edging strip with the other lawn edging strip." The disclosure of Northrop does not teach or suggest a locking mechanism that hinders disengagement in a vertical direction. As such the Northrop disclosure also does not disclose hindering "such that disengaging the two engaged flexible bodies is hindered in a vertical direction as compared to the force necessary to engage the lawn edging strip with the other lawn edging strip." As Northrop does not teach locking mechanism that operates in any manner in the vertical direction, these limitations are absent from Northrop in their entirety.

Thus, it is respectfully submitted that independent claim 10 and those claims depending therefrom (claims 11-20) are patentably distinct from the cited art and favorable action is requested.

SUMMARY OF INTERVIEW

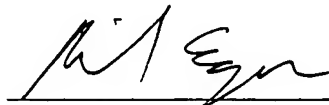
On July 18 2003, Applicant's counsel Mr. Egan and Examiner Alimenti held an Examiner Interview. Applicant's counsel discussed the locking feature of the pending application as it applies to preventing disengagement in a vertical direction. Applicant's counsel discussed the mechanisms of the Bradley and Northrop references and their lack of a locking feature that hinders movement in the vertical direction.

CONCLUSION

In view of the foregoing, it is submitted that the claims are in condition for allowance. Accordingly, favorable reconsideration and Notice of Allowance are courteously solicited.

Should any additional fees under 37 CFR 1.16-1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from Deposit Account No. 10-1205/EASY:021. The examiner is invited to contact the undersigned at the phone number indicated below with any questions or comments, or to otherwise facilitate expeditious and compact prosecution of the application.

Respectfully submitted,



Richard D. Egan
Registration No. 36,788
Attorney for Applicant

O'KEEFE, EGAN & PETERMAN, LLP
1101 Capital of Texas Highway South
Building C, Suite 200
Austin, Texas 78746
(512) 347-1611
FAX: (512) 347-1615

APPENDIX
MARKED UP VERSION OF AMENDMENTS
AS REQUIRED BY RULE 121

In The Claims:

1. (Amended) A lawn edging strip adapted for insertion into the ground, comprising:
 - a flexible body;
 - a tongue connector located proximate a first end of the flexible body; and
 - a pocket connector located proximate a second end of the flexible body, the pocket connector comprising a lock feature and a slot feature;
 - the slot feature sized to receive a tongue connector of another lawn edging strip, and
 - the size and shape of the lock feature of the pocket connector being configured to engage the tongue connector and to prevent[ing] disengagement in a vertical direction after connection with the other lawn edging strip such that disengaging the lawn edging strip from the other lawn edging strip is hindered in a vertical direction as compared to the force necessary to engage the lawn edging strip with the other lawn edging strip.

10. (Amended) A method of providing a lawn edging strip such that two of the lawn edging strips may be engaged to form a longer continuous lawn edging structure, comprising:
 - providing a flexible body;
 - forming a tongue connector at a first end of the flexible body;
 - forming a pocket connector at a second end of the flexible body, wherein the tongue connector and the pocket connector are configured to engage one another when two of the flexible bodies are placed end to end for engagement;
 - configuring the first end and second end in a manner such that one of the flexible body may be engaged with another similar flexible body in a manner such that the one flexible body may be inserted into the ground prior to the another flexible body engaging the one flexible body; and

providing a locking mechanism on the flexible body that hinders the disengagement of two engaged flexible bodies in a vertical direction such that disengaging the two engaged flexible bodies is hindered in a vertical direction as compared to the force necessary to engage the lawn edging strip with the other lawn edging strip.



FILE COPY

Received in the U.S. Patent and Trademark Office:
In re Application of: Clemente Conde
Lawn Edging Strip with Improved End Connectors
Serial No.: 10/039,633; Filed: 11/7/01

Express Mail No. EV324158015US

Enclosed herewith:

1. Response to Final Office Action Mailed May 19, 2003
and Summary of Interview;
2. Our return postcard.

EASY GARDENER - EASY:021
Mailed: 7-21-03
RDE/dcp

EV324158015US

RECEIVED
AUG 22 2003
GROUP 3600

Received in the U.S. Patent and Trademark Office:
In re Application of: Clemente Conde
Lawn Edging Strip with Improved End Connectors
Serial No.: 10/039,633; Filed: 11/7/01

Express Mail No. EV324158015US

Enclosed herewith:

1. Response to Final Office Action Mailed May 19, 2003
and Summary of Interview;
2. Our return postcard.

EASY GARDENER - EASY:021
Mailed: 7-21-03
RDE/dcp

